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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91210542
Party	Plaintiff Tissot SA
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Submission	Stipulated/Consent Motion to Extend
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Date	07/02/2015
Attachments	N1865_Motion for Suspension for Settlement with Con- sent_150702-0001.pdf(169056 bytes )

**UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

TISSOT S.A.,

Opposer,

v.

TOUCHDOME, LLC,

Applicant.

Opposition No.: 91210542

Serial No. 85643792

Mark: TOUCHDOME

**MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT**

Opposer, Tissot S.A., and Applicant, TouchDome LLC, by their attorneys, hereby move the Trademark Trial and Appeal Board for an order to suspend all dates in the subject proceeding in order to allow the parties to finalize a settlement. Both parties consent to this request.

Pursuant to the Trademark Trial and Appeal Board (“TTAB”) Suspension Order issued on June 10, 2015, the parties request this further extension in good faith. Over the past several months, the parties have been negotiating a settlement that will affect the parties’ trademark rights and usage. Counsel for Opposer and Counsel for Applicant have been regularly communicating via email correspondence, have largely established the framework for a settlement, and remain actively engaged in continued discussions to finalize the amicable resolution of this matter.

Pursuant to the Board’s recent order, the parties hereby submit the following report setting forth the progress the parties have made towards settlement during the previous period of suspension. During this recent suspension, the parties have been evaluating an updated settlement proposal from Applicant, a counter-offer and proposed Letter Agreement document

from Opposer, and Applicant's recent comments and suggested revisions to these terms and document. Presently, counsel for Opposer is waiting for Opposer's feedback regarding Applicant's comments and proposed changes to the settlement terms and Agreement.

The below provides the detailed timeline of the most recent material communications between the parties in connection with the ongoing settlement negotiations since the last suspension request granted by the Board:

- June 11, 2015 - Email from Applicant's counsel to Opposer's counsel outlining alternative to existing settlement proposal;
- June 29, 2015 – Email from Opposer's counsel to Applicant's counsel outlining counteroffer to Applicant's updated settlement proposal and including formal Letter Agreement for Applicant's execution;
- July 2, 2015 – Telephone conference between Opposer's counsel and Applicant's counsel regarding Applicant's proposed addition of additional terms to Letter Agreement;
- July 2, 2015 – Email from Applicant's counsel with proposed language for additional terms for Letter Agreement.

Because this report establishes good cause by showing that the parties are actively engaged in good faith negotiations for the settlement of this matter, the parties hereby request that this proceeding be further suspended for a further thirty days to allow the parties to continue their settlement efforts. The parties anticipate that a suspension of thirty days should provide the necessary timetable for the terms of settlement to be finalized so as to conclude this Opposition without the need for discovery motions, further proceedings, or Board involvement.

Accordingly, the parties respectfully and jointly request a thirty (30) day suspension to allow the parties to finalize and execute a settlement. A further suspension is warranted given the advanced status of settlement per the report above, and thus will conserve the Board's time and avoid unnecessary expense to the parties. Therefore, the parties respectfully request that all

deadlines be suspended thirty days, and that all subsequent dates be reset pursuant to the schedule below:

Plaintiff's Pretrial Disclosures	July 21, 2015
Plaintiff's 30-day Trial Period Ends:	September 4, 2015
Defendant's Pretrial Disclosures	September 19, 2015
Defendant's 30-day Trial Period Ends:	November 3, 2015
Plaintiff's Rebuttal Disclosures	November 18, 2015
Plaintiff's 15-day Rebuttal Period Ends	December 18, 2015

This motion is not being filed for purpose of delay. The parties believe that, based on their intentions to settle this proceeding, they have established good cause and respectfully request the Board grant this motion to suspend.

Respectfully Submitted,

**COLLEN IP**

**COZEN O'CONNOR**

*Attorneys for Opposer Tissot SA*

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July 2, 2015

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July 2, 2015

**Certificate of Service**

I, Lisa A. McAndrews, hereby certify that I caused a true and correct copy of the foregoing Consented Motion for a 30-Day Suspension to be filed electronically with the Trademark Trial and Appeal Board, and to be served upon the Applicant and the following counsel of record, via e-mail (by prior agreement of the parties) this 2nd Day of July, 2015:

Martin B. Pavane, Esq.  
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A handwritten signature in blue ink, appearing to read 'Lisa A. McAndrews', is written over a horizontal line.

Lisa A. McAndrews